

CHAPTER 1.04

Definitions

1.04.010 Definitions.

The following words and phrases, whenever used in the ordinances of the City or State, shall be construed as defined in this Section unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:

Capital improvement means a public improvement of a permanent nature, and may include land and equipment necessary for the functioning of a building or other capital improvement.

City and *town* each mean the City of Evans, Colorado, or the area within the territorial limits of the City of Evans, Colorado, and such territory outside of the City's boundaries over which the City has jurisdiction or control by virtue of any constitutional or statutory provision.

City Council means the City Council of the City of Evans. "All its members" or "all councilmen" means the total number of councilmen holding office.

County means the County of Weld.

Law denotes applicable federal law, the Constitution and statutes of the State, the ordinances of the City of Evans, and, when appropriate, any and all rules and regulations which may be promulgated thereunder.

Local improvement means public improvement specially beneficial to the property affected, and also includes the abatement of such unsafe, unhealthful or unsanitary conditions as the board of trustees shall determine to be a public nuisance.

May is permissive.

Month means a calendar month.

Must and *shall* are each mandatory.

Oath includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

Office. The use of any title of any officer, employee, or any office, or ordinance means such officer, employee, office, or ordinance of the City of Evans, Colorado, unless otherwise specifically designated.

Ordinance means the law of the City.

Owner, applied to a building or land, includes any part owner, joint owner, tenant in common, joint tenant, tenant by the entirety, of the whole or a part of such building or land.

Person includes a natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

Personal property includes money, goods, chattels, things in action and evidences of debt.

Preceding and *following* mean next before and next after, respectively.

Property includes real and personal property.

Public improvement means improvements to or in connection with streets, sidewalks, parks, playgrounds, buildings, sewer systems, water systems, power systems, and any other real property or appurtenances thereof of the City used by the public.

Public utility includes all common carriers in the public streets, water, sewage disposal, electrical light, central heating, gas, electric power, telephone and telegraph lines and systems, and such other and different enterprises as the law or the board of trustees may determine.

Real property includes lands, tenements and hereditaments.

Sidewalk means that portion of a street between the curblin and the adjacent property line intended for the use of pedestrians.

State means the State of Colorado.

Street includes all streets, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in this City which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of the State.

Tenant and *occupant*, applied to a building or land, include any person who occupies the whole or any part of such building or land, whether alone or with others.

Written includes printed, typewritten, mimeographed, multigraphed, or otherwise reproduced in permanent visible form.

Year means a calendar year. (Ord. 597 84, 1984)